

REMARKSI. Introduction

In response to the Office Action dated May 7, 2004, claims 1, 2, 3, 5, 7, 8, 9, 12, 13, 15, 20, 21, 22, 24, 25, 28, 29, 31, 32, 34, 38, 39, 40, 41, 43, 44, 47, 50, 51, and 53 have been amended. Claims 1-57 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Prior Art Rejections

In paragraph (2) of the Office Action, claims 1-4, 8-16, 19-23, 27-35, 37-39, 40-42, 47-54, and 56-57 were rejected under 35 U.S.C. §102(e) as being anticipated by Landsman et al., U.S. Patent No. 6,314,451 (Landsman). In paragraph (3) of the Office Action, claims 5, 24, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over O'Brien et al., U.S. Patent No. 6,055,569 (O'Brien). On page (14) of the Office Action, claims 6-7, 25-26, and 44-46 were rejected under 35 U.S.C. §103(a) as being unpatentable over Landsman in view of Borman et al., U.S. Patent No. 6,226,655 (Borman). On page (16) of the Office Action, claims 17, 36, and 55 were rejected under 35 U.S.C. §103(a) as being unpatentable over Landsman in view of Batchelder et al., U.S. Patent No. 6,351,767 (Batchelder). On page (17) of the Office Action, claims 18-19, 37-38, and 56-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over Landsman.

Applicants respectfully traverse these rejections.

Specifically, claim 1 was rejected as follows:

In regard to Claim 1 (and similarly independent Claims 20, and 39, Landsman teaches embedding an "advertising tag" into a referring page. This tag contains two components. One component effectively downloads, from a distribution HTTP (web) server and to an extent necessary, and then persistently instantiates an agent, implemented as a "light-weight" Java applet, at the client browser. This agent then "politely" and transparently downloads advertising files (media and, where necessary, player files), originating from an ad management system residing on a third-party advertising HTTP (web) server, for a given advertisement into browser disk cache (also in the case of media files into the browser RAM cache) and subsequently plays those media files through the browser on an interstitial basis and in response to a user click-stream (Col. 9, line 67; Col. 10, lines 1-12; compare to Claim 1 (and similarly Claims 20, and 39), "(a) requesting a web page; (b) receiving a web page in a browser in response to the request, wherein the web page comprises an applet tag; (c) requesting an applet identified by the applet tag; (d) receiving the applet; (e) executing the applet,..."). Landsman also teaches that in response to this request for an AdDescriptor file, ad management system (25) then selects a specific advertisement to be delivered to client PC (5). This selection can be selected on a predefined or random basis, or based on user preference or other user-specific information previously collected from an associated with the user then operating browser (7). Such user-specific information, such as prior buying patterns, could have been appropriately pre-

collected at the client PC, previously uploaded to ad management system (25) and processed there such that, upon receipt of the AdDescriptor request, system (25) would then select and download an appropriate advertisement specifically targeted to the user then situated at the client PC. In any event, once system (25) selects the advertisement, through whatever selection metric it employs, the corresponding AdDescriptor file is then downloaded, as symbolized by line (66), to agent server (15) (here being a proxy server) which, in turn, as symbolized by line (68), supplies that file to the AdController agent then executing under web browser (7) (Col. 21, lines 13-31; compare to Claim 1 (and similarly Claims 20 and 39), "...requesting a web object that is likely to be accessed next"). Landsman also teaches that once the AdDescriptor file is downloaded to the client PC, via agent server (15), the AdController then "politely" downloads, as symbolized by block (70) shown in Figs. 1B and 1C, into the browser disk cache each media and player file, as specified in the AdDescriptor file—to the extent that file does not already reside on the hard disk of the client PC (Col. 22, lines 4-9; Compare to Claim 1 (similarly Claims 20, and 39), "...receiving the requested web object; and copying the requested web object into a cache of the browser").

Applicants traverse the above rejections for one or more of the following reasons:

(1) Neither Landsman, O'Brien, Borman, or Batchelder teach, disclose or suggest an applet that executes on a browser that is configured to pre-cache web objects that are part of a web page that is likely to be requested by a user next; and

(2) Neither Landsman, O'Brien, Borman, or Batchelder teach, disclose or suggest retrieving and displaying such pre-cached web objects (from a browser cache) when a web page requesting such pre-cached web objects is requested by a user.

Independent claims 1, 9, 20, 28, 39, and 47 are generally directed to pre-caching information in a browser cache. Specifically, a client initially requests a first web page from a server. In response, the server sends back the first web page containing an applet. The applet is executed by the client and requests one or more web objects that are likely to be accessed next as part of additional web pages likely to be requested by the user. The web objects are sent by the server and cached in the browser cache on the client. The client then receives a request for a second web page from the user. In response to the request, the client retrieves the web objects from the cache (that are part of the second web page) and displays the retrieved web objects as part of the second web page.

The cited references do not teach nor suggest these various elements of Applicants' independent claims.

Landsman merely describes a technique for implementing in a networked client-server environment, e.g., the Internet, network-distributed advertising in which advertisements are downloaded, from an advertising server to a browser executing at a client computer, in a manner

transparent to a user situated at the browser, and subsequently displayed, by that browser on an interstitial basis, in response to a click-stream generated by the user to move from one web page to the next. Specifically, an HTML advertising tag is embedded into a referring web page. This tag contains two components. One component effectively downloads, from a distribution web server and to an extent necessary, and then persistently instantiates an agent at the client browser. The other component is a reference, in terms of a web address, of the advertising management system. The ad management system selects the given advertisement that is to be downloaded, rather than having that selection or its content being embedded in the web content page. (See Abstract).

However, Landsman is specifically directed towards advertisements that are cached and played back on an interstitial basis (see col. 10, lines 10-12). Such a playback of advertisements is significantly distinguishable from and does not render obvious an applet that is configured to pre-cache web objects that are part of web pages that are requested by a user, followed by the display of such web objects as part of a web page specifically requested by the user. Landsman's advertisements are played on an interstitial basis. Accordingly to Landsman, interstitial ads are ads that are displayed in an interval of time that occurs after a user has clicked on a hot-link displayed by a browser to retrieve a desired web page but before that browser has started rendering that page. Such an interval, arises for the simple reason that a browser requires time, once a user clicks on a hotlink for a new page, to fetch a file(s) from a remote web server(s) for that particular page and then fully assemble and render that page (see col. 4, lines 43-52). Thus, instead of displaying a user selected web object that has been pre-cached (as claimed), Landsman merely provides for pre-caching an advertisement which is played while a selected web page is being transmitted to the client from the server.

In rejecting the request of web objects that are likely to be accessed next, the Office Action relies on col. 21, lines 13-31 that provides:

In response to this request for an AdDescriptor file, ad management system 25 then selects a specific advertisement to be delivered to client PC 5. This selection can be selected on a predefined or random basis, or based on user preference or other user-specific information previously collected from and associated with the user then operating browser 7. Such user-specific information, such as prior buying patterns, could have been appropriately pre-collected at the client PC, previously uploaded to ad management system 25 and processed there such that, upon receipt of the AdDescriptor request, system 25 would then select and download an appropriate advertisement specifically targeted to the user then situated at the client PC. In any event, once system 25 selects the advertisement, through whatever selection metric it employs, the corresponding AdDescriptor file is then downloaded, as symbolized by line 66, to agent server 15 (here being a proxy server) which, in

turn, as symbolized by line 68, supplies that file to the AdController agent then executing under web browser 7.

As can be seen by the cited portion, the particular ad that is selected for transmission to the PC (by an ad management system), may be based on a predefined or random basis, based on user preferences, or other user-specific information previously collected from and associated with a user. However, there are various differences between such an ad selection and the present claims. First, the present claims provide that the web objects that are transmitted to the client are part of additional web pages that are likely to be requested by the user. Such web pages selected by a user are entirely separable, distinguishable, and non-obvious from an advertisement that the user may be interested in. Secondly, the claims provide for displaying the pre-cached web objects as part of a web page that has been specifically requested by the user. Such a display is not even remotely suggested or alluded to, implicitly or explicitly, in Landsman's teaching where the ad that is displayed is not specifically requested by the user. Instead, the ad is displayed without the user requesting the ad. In fact, Landsman teaches away from displaying an advertisement that has been selected by a user in col. 10, lines 56-60 which provides:

Employing a user click-stream to trigger play of cached advertisements frees the user, for receiving advertising, of any need either to undertake any affirmative action, other than normal web browsing, or to learn any new procedure; thus, advantageously imposing no added burden on the user.

In view of the above, Applicants submit that not only does Landsman fail to teach, describe, or suggest, implicitly or explicitly, the present claims, but Landsman also teaches away from the present invention.

In addition, Applicants submit that the additional cited references, either alone or in combination, still fail to teach the invention as claimed.

O'Brien is directed towards a smart browser working in conjunction with a HTTP server that selectively downloads WWW pages into the browser's memory cache. The determination of which pages to download is a function of a probability weight assigned to each link on a Web page. By evaluating that weight to a predetermined browser criteria, only those pages most probably to be downloaded are stored in the browser's memory cache. The download is done in the background while the browser user is viewing the current Web page on the monitor. (See Abstract).

However, O'Brien is specifically directed towards and utilizes a browser that has software code incorporated within the browser. This incorporated software code enables the browser to identify links on a page being viewed as having probability weights assigned (e.g., by the server) (see col. 3, lines 28-34). Thus, instead of using an applet as set forth in the present claims, O'Brien requires the modification of a browser (to incorporate the software code) and the use of particular key words that the modified browser can recognize. Such a teaching does not and cannot render obvious or disclose, implicitly or explicitly, the use of an applet as set forth in the present claims. Accordingly, O'Brien cannot teach or suggest the present invention.

Further, Applicants submit that the combination of Landsman with O'Brien still fails to meet the limitations of the present claims. For example, the combination would still require the modification of the browser in accordance with O'Brien followed by the download of web pages into the browser cache. In addition, O'Brien's modified browser could potentially enable the display of cached advertisements on an interstitial basis in accordance with Landsman. However, as stated above, such a display on an interstitial basis for objects not selected by a user do not suggest the current claim limitations. Accordingly, the combination still fails to provide for the delivery and execution of an applet on a client that pre-caches web objects for a web page likely to be selected next by the user.

The remaining independent claims were rejected on a similar rationale to that of claim 1. Accordingly, Applicants traverse these rejections for the same reasons as that stated above.

Moreover, the various elements of Applicants' claimed invention together provide operational advantages over Landsman, O'Brien, Borman, and Batchelder. In addition, Applicants' invention solves problems not recognized by Landsman, O'Brien, Borman, and Batchelder.

Thus, Applicants submit that independent claims 1, 9, 20, 28, 39, and 47 are allowable over Landsman, O'Brien, Borman, and Batchelder. Further, dependent claims 2-8, 10-19, 21-27, 29-38, 40-46, and 48-57 are submitted to be allowable over Landsman, O'Brien, Borman, and Batchelder in the same manner, because they are dependent on independent claims 1, 9, 20, 28, 39, and 47, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 2-8, 10-19, 21-27, 29-38, 40-46, and 48-57 recite additional novel elements not shown by Landsman, O'Brien, Borman, and Batchelder.

III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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